



U. S. Department
of Transportation

**Federal Aviation
Administration**

Great Lakes Region
Illinois, Indiana, Michigan,
Minnesota, North Dakota
Ohio, South Dakota, and
Wisconsin

2300 E Devon Avenue
Des Plaines, Illinois 60018

July 22, 2004

Ms. Rosemarie Andolino
Executive Director, O'Hare Modernization Program
City of Chicago, Department of Aviation
Post Office Box, 66142
Chicago, Illinois 60666

Re: O'Hare International Airport
Airspace Case No. 2003-AGL-0878-NRA

The Federal Aviation Administration (FAA) has completed a comprehensive review of the October 2003 Airport Layout Plan (ALP) and Response to Comments submitted by the City of Chicago. As part of our review process, we have distributed the materials to our Headquarters, Regional, and Field offices within the FAA as well as to the Transportation Security Administration office responsible for ORD. Each of these offices contributed to this comprehensive review focusing on compliance with FAA Advisory Circulars, Regulations, Orders and Policy Guidance.

In addition, the FAA circulated the City's proposal in accordance with FAA Order 7400.2E, Procedures for Handling Airspace Matters, by letter dated October 15, 2003. The letter was distributed to approximately 200 representatives of organizations potentially impacted by this proposal. Through the circularization process the FAA received a total of 6 letters; several of the respondents commented on the safe and efficient use of airspace. All comments relating to the safe and efficient use of airspace were reviewed by the FAA.

Based on this comprehensive review of the ALP and a review of the comments received through the circularization process, the FAA has no objection from an airspace utilization standpoint. Airspace protection will be afforded as specified in FAR Part 77 Subpart C, Section 77.21 (c) (1).

In making this determination, the FAA has considered matters such as the effect the proposal would have on existing or planned traffic patterns at neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, the effects that existing or proposed man-made objects (on-file with the FAA) and known natural objects within the affected area would have on the airport proposal.

This determination does not mean FAA approval or disapproval of the physical development in the proposal. It is not to be considered a commitment of Federal funding for the proposed

development and does not infer or imply that the land in the airport vicinity is considered compatible with airport operations. It is a determination with respect to the safe and efficient use of airspace by aircraft with respect to the safety of persons and property on the ground.

The FAA cannot prevent the construction of structures near an airport. The airport environs can only be protected through such means as local zoning ordinances, laws, or regulations of any government body or agency.

In order to avoid placing any unfair restrictions on users of the navigable airspace, this determination is valid until January 31, 2006. Should the proposed development depicted on the Airport Layout Plan not be implemented by this date, an extension of the determination must be obtained.

Attached you will also find a document that contains new comments specifically addressing the October 2003 ALP submittal. Also included are appendices containing support information which include a further discussion on items from the December 2002 draft ALP submittal.

Specifically, in our ALP review, the FAA has provided comments that fall into one or more of the following categories:

- General Comments
- Jet Blast Analysis
- Access Roads
- Phasing Drawings
- Aircraft Rescue & Fire Fighting Analysis (ARFF)
- NAVAIDS/FAA Facilities
- Communications
- Frequency Analysis
- Security & Hazardous Materials
- Transportation Security Administration
- Individual Sheet Comments
- Response to Comment Resolution on the December 2002 ALP

We are available to meet with representatives of your office to discuss the items in the attached document and to provide any technical assistance necessary to facilitate the City's further refinement of the ALP. As you are aware, approval of the ALP by the FAA cannot occur until the technical issues contained in the attached document are addressed, a Final Environmental Impact Statement is completed and a favorable Record of Decision is issued by the FAA.

If you have any questions or need further clarification, please contact either Richard Kula of my office at (847) 294-7507 or myself at (847) 294-7812.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry D. Cooper". The signature is fluid and cursive, with a long horizontal stroke at the end.

Barry D. Cooper
Manager, Chicago Area Modernization Program Office

Attachment